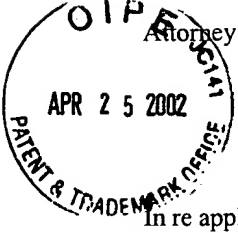


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AF
#29
PATENT
1625



Attorney Docket No. 01723326

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Phillips, J.

Application No.: 09/481,207 Group No.: 1625
Filed: January 11, 2000 Examiner: FAN, J.
For: NOVEL SUBSTITUTED BENZIMIDAZOLE DOSAGE FORMS AND METHOD OF USING SAME

Assistant Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. section 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed February 01, 2002, finally rejecting claims 23, 27-35, 38-40, 42, 43, 52, 53, 65, 69, 73, 81, 95, 96, 104-110, 112-123, 127-135, 622, 624-650, 652-654, 661, 667, 679, 681, 682, 703, 704, 718, 719, 724, 729-746, 757-759, 765, and 862-868. In this decision, claims 666, 680, 681, 683, 685, 687-702, 709-714, 716, 717, and 725, were allowed.

CERTIFICATION UNDER 37 C.F.R. § 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

- MAILING**
- ☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231
37 CFR 1.8a
- ☐ with sufficient postage as first class mail.
- ☒ as "Express Mail Post Office to Addressee" Mailing Label
37 CFR 1.10
No. EV 11333981505
- TRANSMISSION**
- ☐ facsimile transmitted to the Patent and Trademark Office, 703 _____

Signature

Date: 4/25/02

04/29/2002 TBESHAH1 00000030 09481207
01 FC:219 160.00 OP

Timothy M. Hubalik
Type or print name of person certifying

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was previously filed.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. section 1.17(b), the fee for filing the Appeal Brief is: \$160.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is: \$160.00

TOTAL FEE DUE \$160.00

5. FEE PAYMENT

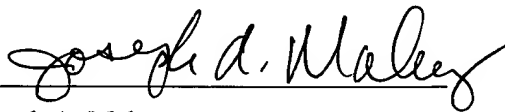
Check enclosed in the amount of \$160.00.
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, this is a request therefore and to charge Account No. 13-0019.

If any additional fee for claims is required, charge Account No. 13-0019.

Date: 4-25-02


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